



BEST AVAILABLE COPY

#6
DACS

PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
YU106US

First named inventor: Kia Silverbrook

Application No.: 09/854,703

Art Unit:

Filed: May 14, 2001

Examiner:

Title: Symmetric Ink Jet Apparatus

RECEIVED

DEC 22 2003

OFFICE OF PETITIONS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1,300 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of \$140 fee + Declaration _____ (identify type of reply):

has been filed previously on _____
 is enclosed herewith.

B. The issue fee of \$ _____.
 has been paid previously on _____.
 is enclosed herewith.

100-200500-125AFU 03000033 09854703

885.00 00

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 12, 2003

Date

Signature

Telephone

Number: +61 2 9818 6633

email: kia.silverbrook@silverbrookresearch.com

Kia Silverbrook

Greg McAvoy

Typed or printed name

393 Darling Street, Balmain, NSW 2041

Address

Australia

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Declaration

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

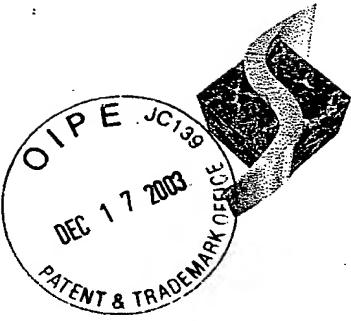
I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

Type or printed name of person signing certificate



BEST AVAILABLE COPY

SILVERBROOK RESEARCH Pty Ltd

393 Darling Street Balmain NSW 2041 Australia
PO Box 207 Balmain NSW 2041 Australia
Phone: +61 2 9818 6633 Fax: + 61 2 9818 6711
Email: info@silverbrook.com.au
ACN 066 573 671

FACSIMILE MESSAGE

Date **February 20, 2002**

To: **Office of Initial Patent Examination**

Attention: **Ms Monica Young**

Fax No.: **1 703 308 7751**

Subject: **United States Patent Application Serial No. 09/854,703**

Inventor/Assignor: Kia Silverbrook

Assignee: SILVERBROOK RESEARCH PTY LTD

FAXED

COPY

Our Ref: **YU106US**

Total Number of Pages (including this) **9**

I refer to our telephone conversation and as requested am now submitting my query by fax.

1. A formalities letter (confirmation no. 9828) dated July 3, 2001 was received on the above application, advising an amount of \$10 owing on filing fee, together with a \$65 surcharge, totalling \$75.
2. We replied to this notice on July 24, 2001 by fax, enclosing the required fee of \$75 (copies of this correspondence and fax transmission sheet are attached).
3. We have now received a further formalities letter (confirmation no. 9828) dated December 5, 2001, acknowledging receipt of our reply of July 11, 2001 (but our reply was dated July 24, 2001) and advising that the \$75 was still outstanding.
4. In anticipation that the problem results from the misplacement of the correspondence of July 24, we now enclose a new credit card form. The original credit card form submitted on July 24, 2001 is no longer appropriate.

Thank you for your assistance in this matter.

RECEIVED

Regards

DEC 22 2003

Leonie News

Silverbrook Research Pty Ltd

OFFICE OF PETITIONS

This facsimile contains information that is privileged and confidential, and is intended only for the use of the individual or entity named above. If you have received this facsimile in error, or if the transmission is not complete, please notify us immediately by telephone or facsimile.

JOB	START TIME	USAGE	PHONE NUMBER/ADDRESS	TYPE	PAGES	MODE	STATUS
436	20/ 2 11:51AM	3'00"	001117033087751	SEND.....	9 / 9	EC144	COMPLETED.....

TOTAL 3'00" PAGES SENT: 9 PAGES PRINTED: 0

SILVERBROOK RESEARCH Pty Ltd
393 Darling Street Balmain NSW 2041 Australia
PO Box 207 Balmain NSW 2041 Australia
Phone: +61 2 9818 6833 Fax: +61 2 9818 6711
Email: info@silverbrook.com.au
ACN 066 573 671

FACSIMILE MESSAGE

Date February 20, 2002
To: Office of Initial Patent Examination
Attention: Ms Monica Young
Fax No.: 1 703 308 7757
Subject: United States Patent Application Serial No. 09/854,703
Inventor/Assignor: Kia Silverbrook
Assignee: SILVERBROOK RESEARCH PTY LTD

Our Ref. YUJ106US

Total Number of Pages (including this) 9

I refer to our telephone conversation and as requested am now submitting my query by fax.

1. A formalities letter (confirmation no. 9828) dated July 3, 2001 was received on the above application, advising an amount of \$10 owing on filing fee, together with a \$65 surcharge, totalling \$75.
2. We replied to this notice on July 24, 2001 by fax, enclosing the required fee of \$75 (copies of this correspondence and fax transmission sheet are attached).
3. We have now received a further formalities letter (confirmation no. 9828) dated December 5, 2001, acknowledging receipt of our reply of July 11, 2001 (but our reply was dated July 24, 2001) and advising that the \$75 was still outstanding.
4. In anticipation that the problem results from the misplacement of the correspondence of July 24, we now enclose a new credit card form. The original credit card form submitted on July 24, 2001 is no longer appropriate.

Thank you for your assistance in this matter.

Regards


Leanne News
Silverbrook Research Pty Ltd

This facsimile contains information that is privileged and confidential, and is intended only for the use of the individual or entity named above. If you have received this facsimile in error, or if the transmission is not complete, please notify us immediately by telephone or facsimile.

COPY

RECEIVED

DEC 22 2003

OFFICE OF PETITIONS

HP LASERSET 3150
PRINTER/FAX/COPIER/SCANNER

SEND CONFIRMATION REPORT FOR
SILVERBROOK RESEARCH
0298186711
24-JUL-01 12:15PM

JOB	START TIME	USAGE	PHONE NUMBER/ADDRESS	TYPE	PAGES	MODE	STATUS
415	24 / 7 12:14PM	1'45"	001117033087751.....	SEND.....	5 / 5	EC144	COMPLETED.....

TOTAL 1'45" PAGES SENT: 5 PAGES PRINTED: 0

SILVERBROOK RESEARCH Pty Ltd
383 Darling Street Balmain NSW 2041 Australia
PO Box 207 Balmain NSW 2041 Australia
Phone: +61 2 9818 6533 Fax: +61 2 9818 6711
Email: info@silverbrook.com.au
ACN 068 573 671

COPY

July 24, 2001

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
WASHINGTON, DC 20231

BY FACSIMILE
(703) 308 7751

Attention: Office of Initial Patent Examination
Customer Service Centre

Dear Sirs,

United States Patent Application Serial Number 09/854,703
Inventors: Kia Silverbrook and Greg McAvoy
Assignee: SILVERBROOK RESEARCH PTY LTD
Title of Invention: Symmetric Ink Jet Apparatus
Docket No: YU10GUS

We refer to the Notice To File Missing Parts of Nonprovisional Application received from your Office in respect of the above application and attach herewith the necessary fees.

Respectfully yours

Ana Nair
Assistant to Kia Silverbrook

RECEIVED

DEC 22 2003

OFFICE OF PETITIONS

SILVERBROOK RESEARCH Pty Ltd
393 Darling Street Balmain NSW 2041 Australia
PO Box 207 Balmain NSW 2041 Australia
Phone: +61 2 9818 6633 Fax: + 61 2 9818 6711
Email: info@silverbrook.com.au
ACN 066 573 671

July 24, 2001

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
WASHINGTON, DC 20231

COPY

BY FACSIMILE
(703) 308 7751

Attention: Office of Initial Patent Examination
Customer Service Centre

Dear Sirs,

United States Patent Application Serial Number 09/854,703

Inventors: Kia Silverbrook and Greg McAvoy

Assignee: SILVERBROOK RESEARCH PTY LTD

Title of Invention: Symmetric Ink Jet Apparatus

Docket No: YU106US

We refer to the Notice To File Missing Parts of Nonprovisional Application received from your Office in respect of the above application and attach herewith the necessary fees.

Respectfully yours



Ana Nair

Assistant to Kia Silverbrook

RECEIVED
DEC 2 2 2003
OFFICE OF PETITIONS



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/854,703	05/14/2001	Kia Silverbrook	YU106US

24011
 SILVERBROOK RESEARCH PTY LTD
 393 DARLING STREET
 BALMAIN, 2041
 AUSTRALIA

COPY

CONFIRMATION NO. 9828
 FORMALITIES LETTER

 OC00000006256666

Date Mailed: 07/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 10 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 75.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

Jenckes
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

RECEIVED

DEC 22 2003

OFFICE OF PETITIONS

Please type a plus sign (+) inside this box → +

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/854,703
		Filing Date	May 14, 2001
		First Named Inventor	Kia Silverbrook
		Group Art Unit	2853
		Examiner Name	COPY
Total Number of Pages in This Submission		Attorney Docket Number	YU106US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	I respectfully request the Examiner to contact me if any further fees are required: Email: kia@silverbrook.com.au Telephone: 61-2-9818-6633 Facsimile: 61-2-9818-6711
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kia Silverbrook c/- Silverbrook Research Pty. Ltd. 393 Darling Street, Balmain NSW 2041, Australia	
Signature		
Date	DEC 2 2 2003	
	RECEIVED	
	OFFICE OF PETITIONS	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name	
Signature	Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$75)

Complete if Known

Application Number	09/854,703
Filing Date	May 14, 2001
First Named Inventor	Kia Silverbrook
Examiner Name	
Group Art Unit	2853
Attorney Docket No.	YU106US

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity
Fee Fee Fee Fee Fee Description

Fee Code (\$)	Fee Code (\$)	Fee	Fee	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	- 3** =	X	=

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee	Fee Description
103	18	203	9 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	270	204	135 Multiple dependent claim, if not paid
109	80	209	40 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Fee Code (\$)	Fee Code (\$)	Fee	Fee Description	Fee Paid
105	130	26	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	390	216	195 Extension for reply within second month	
117	890	217	445 Extension for reply within third month	
118	1,390	218	695 Extension for reply within fourth month	
128	1,890	228	945 Extension for reply within fifth month	
119	310	219	155 Notice of Appeal	
120	310	220	155 Filing a brief in support of an appeal	
121	270	221	135 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,240	241	620 Petition to revive - unintentional	
142	1,240	242	620 Utility issue fee (or reissue)	
143	440	243	220 Design issue fee	
144	600	244	300 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Petitions related to provisional applications	
126	240	126	240 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) <u>Response to Missing Parts</u>				75

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

75

RECEIVED

Complete if applicable

SUBMITTED BY

Name (Print/Type) Kia SilverbrookSignature WSRegistration No.
(Attorney/Agent)

Telephone +61-2-9818-6633

Date July 24, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DEC 22 2003

OFFICE OF PETITIONS

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- BLACK BORDERS
- IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT OR DRAWING
- BLURRED OR ILLEGIBLE TEXT OR DRAWING
- SKEWED/SLANTED IMAGES
- COLOR OR BLACK AND WHITE PHOTOGRAPHS
- GRAY SCALE DOCUMENTS
- LINES OR MARKS ON ORIGINAL DOCUMENT
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.